

September 27, 2001



Magalie Roman Salas
Secretary
Federal Communications Commission
TW-A325
445 Twelfth St., SW
Washington, DC 20554

Re: *Ex parte* presentation in:
MM Docket Nos. 01-235, MM 96-197; 92-264, 94-150, 92-51, 87-154; 98-203; 99-25
CS Docket Nos. 98-82, 96-85;

Dear Ms. Salas:

On September 25, 2001, Andrew Jay Schwartzman and Cheryl Leanza of Media Access Project met separately with Stacey Robinson of Commissioner Abernathy's office and with Catherine Crutcher Bohigian of Commissioner Martin's office to discuss the above-captioned dockets.

We described the general function and interests of Media Access Project. With respect to the pending ownership proceedings, we explained that public interest organizations intend to participate vigorously in the ownership proceedings currently pending before the FCC. We also explained, however, that the Commission must fulfill its obligation to collect data to support its rules. We discussed the importance of giving citizens the opportunity to hear news and information from a variety of editorial viewpoints.

With respect to Low Power Radio, we provided Ms. Robinson and Ms. Bohigian with the attached information sheet and encouraged the Commission to proceed expediently on the Congressionally-mandated technical study.

With respect to the use of ancillary or supplemental services by public broadcasters, we reiterated the position taken by our clients, UCC, *et al.* in this proceeding and provided them with copies of our Comments and Reply Comments, which are already on file in those dockets.

In accordance with Section 1.1206(b), 47 C.F.R. § 1.1206, this letter is being filed electronically with your office today.

Sincerely,

Cheryl A. Leanza
Deputy Director

attachment

cc: Stacey Robinson
Catherine Crutcher Bohigian

Low Power Radio Information Sheet (September 2001)



- The FCC first proposed starting a new low power radio service in January 1999, and approved the service in January 2000. This service will include very small stations. One-hundred watt stations will reach, at most, a 7 mile diameter. Ten watt stations will reach a 3 mile diameter.
- After considering legislation that would completely eliminate low power radio, Congress instead adopted legislation that limits the number of radio stations that will be authorized. **The legislation ultimately adopted reflected Congress' decision to cut back, but not to eliminate, low power radio.**
 - o This legislation did not eliminate the service, but did eliminate approximately 630 of the 1,200 applications filed at the time.
- The legislation required the FCC to commission an independent technical study on low power radio. Originally, this date was set to be within less than 10 months of the date the bill passed the House. The date was never modified, and this date--February 1, 2001--has now passed. **While the FCC is moving ahead with the Congressionally mandated study, the current timetable will likely take an extremely long time, possibly in Spring 2003.**
- Senator McCain has introduced legislation. S. 404, to reverse last year's legislation limiting low power radio.

Facts about applicants:

- o **Three thousand four hundred (3,400) non-profits** have applied for a low power radio station.
- o **Applicants cover a wide range of ideologies and organizations.** For example, many conservative churches have applied alongside progressive churches.
- o One hundred and six stations (106) have completed the application process, have received construction permits, and now need only construct their stations to begin broadcasting.
- o Approximately 450 applicants have successfully filed applications without opposition and await only administrative processing by the FCC.
- o We may see as many as 1000 low power radio stations at the end of two years.
- o In the first group of applications, only 25 out of the 1,200 applications for low power licenses that have substantially completed the filing process.
- o A 10 watt application cycle, useful more congested areas, has not been opened.